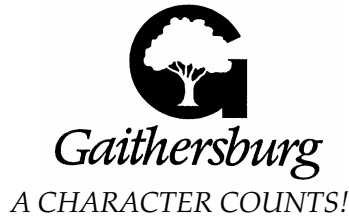


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CITY OF GAITHERSBURG
MINUTES OF A REGULAR CITY COUNCIL MEETING
AUGUST 7, 2006

A meeting of the Mayor and City Council was called to order at 7:30 p.m., Mayor Katz presiding. Council Members present: Alster, Edens, Marraffa and Schlichting. Council Member absent: Sesma. Staff present: City Manager Humpton, Assistant City Managers Felton and Tomasello, Planning and Code Administration Director Ossont, Police Chief Viverette, Director of Public Works, Parks Maintenance and Engineering (PWPME) Arnout, Parks, Recreation and Culture Director McGleish, Director of Parks, Recreation and Culture McGleish, Sports Specialist Ludington, Community Planning Director Schwarz, Planner Marsh, City Attorney Borten and Executive Assistant Stokes. Planning Commissioners present for joint public hearing: Chair Bauer, Commissioners Hopkins, Kaufman, Levy and Winborne.

I. PLEDGE OF ALLEGIANCE

The Pledge was led by Greg Ossont, Director of Planning and Code Administration.

II. INVOCATION

The invocation was led by Rick Price, First Church of Christ, Scientist.

III. APPROVAL OF MINUTES

Motion was made by Council Member Marraffa, seconded by Council Member Edens, that the minutes of the Mayor and Council meeting held July 17, 2006, be approved.

Vote: 3-0-1 (Abstained: Alster)

IV. CONSENT ITEM

Resolution of the Mayor and City Council Authorizing the City Manager to Enter Into a Contract for Architectural and Engineering Services for the Public Works Facility Master Plan

This resolution authorized the City Manager to enter into a contract for the above services with The Lukmire Partnership, 2700 South Quincy Street, Suite 300, Arlington, Virginia 22206, in the estimated amount of Forty-Nine Thousand Nine Hundred Thirty Dollars (\$49,930); said funds to be expended from the Capital Improvements Budget.

Motion was made by Council Member Alster, seconded by Council Member Marraffa, that the Consent Agenda (Resolution No. R-74-06), be approved.

Vote: 4-0

V. APPOINTMENTS**Resolution Confirming Reappointments by the Mayor**

This resolution confirms the following reappointments: **Education Committee**, Pauleze Bryant, 6 Country Woods Court, Gaithersburg, Maryland 20877, two-year term; **Market Square Advisory Committee**, Donna Anderson, 149 Kent Oaks Way, Pam Lathrop, 129A Chevy Chase Street, James Savitz, 177 Kentlands Boulevard, and Mike Watkins, 320 Firehouse Lane, Gaithersburg, Maryland 20878, two-year terms; and the **Technology & Innovations Committee**, Skip Jentsch, 403 Upshire Circle and Philip Somerset, 2 Dearden Place, Gaithersburg, Maryland 20878, two-year term.

Motion was made by Council Member Schlichting, seconded by, Council Member Marraffa, that a RESOLUTION OF THE CITY COUNCIL CONFIRMING REAPPOINTMENTS BY THE MAYOR TO THE EDUCATION COMMITTEE, MARKET SQUARE ADVISORY COMMITTEE AND TECHNOLOGY & INNOVATIONS COMMITTEE (Resolution No. R-75-06), be approved.

Vote: 4-0

VI. PRESENTATIONS**1. Gaithersburg Business Alliance Expands “Cops in Shops” Program**

Police Chief Viverette gave an introduction about the Gaithersburg Business Alliance that will expand the “Cops in Shops” Program. The Gaithersburg Business Alliance serves as an umbrella organization under which business owners work with State, County and City governments to customize and implement comprehensive prevention, education and enforcement programs addressing alcohol abuse, drinking in public and related issues. Alliance Partners include the City of Gaithersburg Police, Montgomery County Police (6th District), Extra Eyes, State and County Highway Safety, Gaithersburg City Manager’s Office, Board of License Commissioners, Century Council, Maryland Hospitality Education Foundation, and the Department of Liquor Control. The expansion of the 2004 award-winning “Cops in Shops” program will be announced at an August 9th press conference.

Kathie Durbin, Community Outreach Manager, Montgomery County Department of Liquor Control, gave a brief PowerPoint history presentation that elaborated on the “Cops in Shops” Program. City and County police will work in partnership to conduct random “Cops in Shops” details. Also, citizens trained by police, called “Extra Eyes,” will work outside the businesses to report violations occurring in parking lots or surrounding areas. Enforcement officers will be sharing their expertise with employees on a range of topics including fake IDs, the signs of intoxication, and behavioral characteristics of habitual drinkers. State certified alcohol trainings in both English and Spanish will be offered to all Gaithersburg establishments with liquor licenses.

2. Update on the Day Laborer Center

City Manager Humpton reported following the July 26, 2006 Work Session, staff was given direction that the two proposed sites were not acceptable for a center. He recommended to the Mayor and City Council that the City broaden dialogue with leaders in the Hispanic, faith, business, and non-profit communities to assist City staff in exploring site options, address issues at the current gathering spot and identifying any other possible alternatives to address the situation. He stated that the Mayor and City Council and staff remain committed to finding a solution to the problem, and continue to embrace the input of the entire community. He stated that City Police have been directed to increase patrols in areas near the existing day laborer site and to take enforcement action as needed under the existing ordinances. He further recommended that the City Council not introduce an anti-solicitation ordinance at this time but that such legislation be considered once a site has been found to make the day laborer center successful.

VII. PUBLIC APPEARANCES

1. *Patty, Member of Action in Montgomery, 11127 Captains Walk Court Gaithersburg, Maryland*, supports the affordable and work force housing ordinance, but expressed concern with the criteria for eligibility. She asked that the control period be 30 years for sale and 99 years for rental.
2. *Gloria Aparicio, 53 Appleseed Lane, Member of the Day Laborer Task Force*, encouraged the City Council to find a solution to the day laborer issues. She stated that the laborers are contributing members of the community and expressed concern with the winter months approaching.
3. *Gabriella Aguilar, Youth Group, 646 Whispering Lane*, expressed that day laborers are friends, neighbors and not enemies. She asked that a solution be found in the best interest for all.
4. *Grace Oven-Rivera, Germantown, Maryland*, asked the City Council to reconsider the options given by staff. She stated that winter is approaching and that the City is entering into its third year on this issue. She reminded the City Council that there are children depending on the day laborers.
5. *Steven Shrimen, Minuteman Member, resident of Gaithersburg, Maryland*, expressed concern that no background or criminal checks are given to illegal persons. He asked public officials to enact the appropriate laws to avoid the destruction of communities.
6. *Prentiss Searles, 10 Walker Avenue*, asked that the reoccurring issues be addressed along Route 355 at multiple locations. He asked that soliciting and loitering laws be enforced and questioned if the public could review the existing laws. City Manager Humpton responded later in the meeting that a list will be prepared to include city and state ordinances.
7. *Cathy Dryzgula, 16 Walker Avenue*, asked that the City make a public statement on the sites and locations being considered for a day laborer center. She expressed concern with the increase of affordable housing.
8. *Kenneth Joholske, former West Deer Park Tenant Association*, expressed support for the assistance program proposed ordinance. He expressed concern with losing greenspace and historic property with the development of the crown farm property. Encouraged trade unionist to become involved in the upcoming Labor Day festivities.
9. *Warren Johnson, 104 Chestnut Street*, thanked the City Council, staff and Crown Village for the revisions to the Crown Farm property annexation. He urged the City Council to pay close attention to historic preservation measures.
10. *Pete Exis, former West Deer Park tenant*, referred to the Crown Farm development and asked the City Council to ensure greenspace.
11. *Albert James, Montgomery County/United States citizen*, warned the Mayor and City Council for demographing groups and be mindful of bias groups. He expressed support for growth and development and good citizenship and asked the Mayor and City Council to assist those persons in the U.S. undocumented.
12. *Wayne Goldstein, President of Montgomery Preservation, Inc.*, opposed to the proposed Crown Farm Annexation Agreement and the designated resources. He stated that resources have not been sought after by the developer for historic preservation. He expressed concern with the impact of the transitway realignment and submitted a letter for the record.
13. *Demos Chrissos, Tschiffely Square Road*, stated he is fearful of the facts and trends of persons breaking the law to enter the United States. He offered stats to the Mayor and City Council on criminal acts committed by illegal persons.

14. *Diego, D.C. resident*, expressed appreciation to the elected officials for their governing of the City of Gaithersburg.
15. *Elizabeth Johnson, 104 Chestnut Street*, thanked the City Council and staff on their efforts on the Crown Farm Annexation Agreement, but stated there is room for improvement and asked the City Council to listen to the citizen about their concerns with the agreement. She expressed support for historic preservation on the property.
16. *Carol Kenga*, shared a painting depicting the Crown Farm property. She asked the City Council to preserve the beauty of the property.
17. *Naomi Cathy, Potomac, Maryland*, shared painting done at the Crown Farm property. Asked the City Council to reconsider the proposed development.
18. *Joseph Schuler, 30 Walker Avenue*, stated the day laborers have to congregate seeking work daily to provide for their children. Expressed support for the City Council and staff efforts in continuing to find a day laborer center.
19. *David Rocha, Pastor, United Methodist Church*, commented that the statistics given earlier in the meeting are misleading. He stated that he is a witness of a person given an opportunity to live as a decent citizen of Gaithersburg. Expressed thanks to the City for continuing dialogue on the day laborer issues.
20. *Maya Oven, Germantown, Maryland*, stated the day laborers are here to make a better life for themselves and their families.

City Attorney Borten reminded the Mayor and City Council that the record on X-182, Crown Farm Annexation, closed as of August 2, 2006.

VIII. FROM THE MAYOR AND CITY COUNCIL/ANNOUNCEMENTS

Council Member Alster

1. Referred to an article on green buildings in the August 6, 2006 issue of the *Washington Post*. The article mentioned the Robertson Park Youth Center, Gaithersburg's first green building.
2. Expressed thanks to City staff for their efforts during the National Night Out Against Crime event.
3. Expressed support for the surveillance of the Historic District area in Gaithersburg.

Council Member Marraffa

Attended National Night Out Against Crime with other City Council Members and echoed thanks to City staff.

Council Member Edens

Announced that the City's Multicultural Affairs Committee is joining the International Student Admissions Office of Montgomery County Public Schools to host an International Student Open House on Wednesday, August 16, 2006 from 9 a.m. to 5 p.m. at the Rocking Horse Road Center, 4910 Macon Road in Rockville.

Council Member Schlichting

Announced various vacancies on City Committees, Commissions and Boards. Those interested in serving should submit a letter of interest to the Mayor and City Council, 31 South Summit Avenue, Gaithersburg, Maryland 20877. For more information, citizens can contact Assistant City Manager Fred Felton at 301-258-6310.

Mayor Katz

1. Announced that the Mayor and City Council will conduct a work session on Monday, August 14, 2006 to discuss the proposed Moderately Priced Dwelling Units (MPDU)/Work Force Housing Units (WKFH) Ordinance and the proposed accompanying regulations.
2. Announced that the next Mayor and City Council meeting will be held on Monday, August 21, 2006, and that the City will not conduct a work session on Monday, August 28, 2006.
3. Reported that three applicants submitted letters of interest for the one current vacancy on the City's Ethics Commission. Asked staff to schedule interviews for Tuesday, September 5, 2006, prior to the meeting, beginning at 6:15 pm. in the City Hall Gallery.

IX. FROM THE CITY MANAGER HUMPTON

1. Asked that a work session be scheduled for September to discuss with the Mayor and City Council the issue of vandalism on public and private property in the Market Square area.

Due to a conflict, Mayor Katz recused himself and Council Vice President Schlichting presided over the meeting for the next discussion at 8:40 p.m.

2. Read the following statement on redevelopment moratorium:

"During the July 10, 2006 Mayor and City Council Meeting, I raised a question as to whether the Mayor and City Council wanted to consider a moratorium on redevelopment of residential multi-family dwellings to give the Mayor and Council time to consider additional tenant displacement benefits and enact affordable housing legislation.

That evening, the Mayor and three Council members directed me to move forward and staff has prepared a draft ordinance to enact a moratorium; however, there were not three Council members present during the July 17, 2006 Mayor and City Council meeting who were prepared to vote to introduce the moratorium and I do not believe there are three Council members present this evening who are in favor of introducing the moratorium.

As you know, we are holding a public hearing on the tenant displacement ordinance this evening, and you are scheduled to hold a work session on the draft affordable housing ordinance next Monday.

Because we are making progress on both issues, some Council members continue to question whether a moratorium is necessary. In addition to the tenant displacement and affordable housing issues, there have been concerns raised about whether the densities permitted in some of our residential zones are appropriate. Staff is exploring this issue and will be providing a recommendation to the Mayor and City Council in the near future.

In any event, the moratorium ordinance will be available for introduction during your next regular meeting on August 21, 2006 if the Mayor and City Council would like to consider introduction."

City Manager Humpton expressed concern with developers coming forward with property for potential redevelopment. He asked that the City step back to review proposed redevelopment and discuss issues such as tenant displacement. He asked for direction to introduce such an ordinance.

The City Council expressed support and opposition to introducing the proposed ordinance. It was stated that all City Council Member should be present to vote to introduce the ordinance. Council Member Edens stated that an introduction only allows the process to move forward for discussion

and public input. Council Members Schlichting and Marraffa expressed opposition to move to introduce stating that the approach of a redevelopment moratorium on aging properties is bad policy for the City. City Council Member Alster stated that the proposed ordinance should be introduced to allow for public discussion which is in the best interest of the City.

City Manager Humpton was directed to schedule a vote to introduce the proposed ordinance for a redevelopment moratorium when all City Council Members are present.

Mayor Katz returned at approximately 8:52 p.m.
and presided over the remainder of the meeting.

X. JOINT PUBLIC HEARING

- 1. JOINT – SDP-06-002, The Goddard School, Application Requests to Amend the Previously Approved Schematic Development Plan, SDP-00-002, the Crescent at Quince Orchard Park. The Current Application (SDP-06-002) Requests a Change of Use From Office to a Private Educational Institution for 14,517 Square Feet of the Previously Approved Building. The Remaining 8,383 Square Feet will be Office. The Subject Property is Located at 900 Wind River Lane, Lot 6, Quince Orchard Park Crescent, and is in the Mixed Use Development (MXD) Zone**

Planner Marsh introduced the above joint public hearing stating it was advertised in the *Gaithersburg Gazette* on July 19 and 26, 2006, and the property properly posted. She stated that 14 exhibits exist in the record file. Ms. Marsh oriented the Mayor and City Council to the site.

Jim Worley, applicant for The Goddard School, discussed the project with the Mayor and City Council stating that they are requesting a change in use for the site. He stated that the school will focus on early childhood education. He reviewed the concept sketch and building layout of the facility.

Brian Donnelly, Civil Engineer, Macris, Hendricks, and Glascock, representing the applicant, stated that the schematic development plan was previously approved as office use for 22, 900 square feet and the applicant is proposing to convert 14,157 square feet of the office to an educational institution. He reviewed the primary points of access, traffic flow, parking and architectural modifications and the greenspace increase in the plan.

Several City Council Members and Commissioners questioned the school's hours of operation, parking spaces, parent drop off and pick up, traffic patterns, bus outings, truck deliveries and playground areas.

Speaker from the public:

Larry Seeger, Fernshire Farms, stated the association has met with the applicants, but have not formally presented the plan to the community. He expressed support for the change of use on the site. He recommended that the City Council and Commission investigate the traffic on Route 124 in relation to pending proposals and existing facilities in the area.

There were no other speakers at the hearing.

Motion was made by Commissioner Winborne, seconded by Commissioner Levy, to close the Planning Commission record for SDP-06-002 on August 28, 2006.

Vote: 5-0

Motion was made by Council Member Marraffa, seconded by Council Member Alster, to close the City Council record for SDP-06-002 on September 8, 2006.

Vote: 4-0

2. **An Ordinance to Amend Chapter 13 of the City Code Entitled "Landlord Tenant Relations," to Create a New Section 13-38 Entitled "Relocation Assistance" so as to Require Multi-Family Property Owners to Provide Additional Relocation Assistance to Tenants Displaced by Redevelopment**

Assistant City Manager Felton stated the proposed ordinance was introduced on July 17, 2006 and advertised in the *Gaithersburg Gazette* on July 19, 2006. He stated the potential exists that a number of multi-family communities in the City could be redeveloped in the near future, and staff believe that the existing County requirement of two (2) months rent's relocation assistance would not be adequate to prevent hardships for many of these potentially displaced tenants. The proposed ordinance would require property owners to pay an additional one and one half (1-1/2) month's rent to each leaseholder displaced by pending demolition or redevelopment.

Speakers from the public were:

1. *Pete Exis, former West Deer Park resident*, expressed support for the above ordinance stating that the 3-1/2 months is adequate for the relocations.
2. *Kenneth Joholske, former West Deer Park resident*, supports the additional funds for relocation of tenants. He suggested a committee be formed to work with tenants being displaced due to redevelopment.
3. *Thomas Cowley, Gaithersburg resident, Member of Action in Montgomery*, stated that the lack of a comprehensive affordable housing policy had consequences and impacted the displaced West Deer Park Apartment tenants. He expressed support for the additional rent to tenants to prevent hardships. On behalf of Action in Montgomery, he called for a 120 day-residential deferral to address pending redevelopment.
4. *Linda Gore, 60 Oak Shade Road*, supports the additional rental assistance and encouraged the City to slow down and introduce a redevelopment moratorium ordinance to further address affordable housing. She expressed concern with replacing affordable housing units due to redevelopment.

Motion was made by Council Member Alster, seconded by Council Member Schlichting, to close the City Council record for the above Ordinance on August 16, 2006.

Vote: 4-0

XI. ORDINANCES AND RESOLUTIONS

1. **Introduction of an Ordinance to Amend Chapter 10 of the City Code (Floodplain Ordinance), Article I, Entitled, "Site In General," Article II, Entitled, "Permit Process," Article III, Entitled, "Establishment Of Floodplain Zones," Article IV, "Development Regulations In Floodplain Zones," so as to Comply With Federal Emergency Management Requirements**

Community Planning Director Schwarz introduced the above Ordinance which amends five different Articles in Chapter 10 of the City Code. She stated that the proposed amendments to the Floodplain Ordinance are to comply with both the Federal Emergency Management Agency (FEMA) and State of Maryland requirements. Staff recommended that the Mayor and City Council vote to introduce the proposed ordinance and notify the public that a public hearing will be held on August 21, 2006.

Motion was made by Council Member Edens, seconded by Council Member Marraffa, that the above Ordinance, be introduced.

Vote: 4-0

2. **Resolution Adopting the Arizona Sports Summit Accords**

Sports Specialist Ludington stated that this resolution would adopted the Arizona Sports Summit Accord and the Recommendations for Communities developed through the National Summit on Raising Community Standards tin Children's Sports as the standards for all City and individual organizations to serve as the framework to govern and operate children's sports programs. He stated that adoption of the accord and recommendations would enforce the commitment of the City of Gaithersburg to provide a safe and ethical place to live, learn, work and play.

Motion was made by Council Member Schlichting, seconded by, Council Member Edens, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL ADOPTING THE ARIZONA SPORTS SUMMIT ACCORDS FOR RAISING COMMUNITY STANDARDS FOR CHILDREN'S SPORTS (Resolution No. R-76-06), be approved.

Vote: 4-0

Due to a conflict, Mayor Katz recused himself and Council Vice President Schlichting presided over the meeting for the next agenda item at 9:24 p.m.

3. **Resolution for Use of City Facilities by the Gaithersburg Sports Association**

This resolution authorized the City Manager to enter into an agreement for use of City facilities by the Gaithersburg Sports Association (GSA). GSA provides services in the form of a youth baseball program in the spring, summer and fall to the residents of the City. The Agreement is for one year with renewal options available for a total of five years, subject to an annual review. The Agreement establishes City policy and guidelines for the scheduling of fields, weather related issues, and costs associated with staffing, utilities, field maintenance and associated issues related to security. This Agreement also allows the City Manager to enter into lease agreements for use of the concession facilities at Kelley Park, Robertson Park and Morris Park and the storage area at the Activity Center at Bohrer Park.

Motion was made by Council Member Alster, seconded by, Council Member Marraffa, that a RESOLUTION OF THE MAYOR AND CITY

COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR USE OF CITY FACILITIES BY THE GAITHERSBURG SPORTS ASSOCIATION (Resolution No. R-77-06), be approved.

Vote: 4-0

Mayor Katz returned at approximately 9:26 p.m. and presided over the remainder of the meeting.

4. Resolution to Transfer Funds Within the General Fund Operating Budget

This resolution authorized the City Manager to transfer funds with the 2005-2006 General Fund Operating Budget from 1911 Non-Departmental (contingency) to 1164 Building & Grounds, Gaithersburg Aquatic Center in the amount of Eighteen Thousand Dollars (\$18,000). In accordance with Resolution No. R-28-98, all budget transfers in excess of twenty-five (25) percent must be approved by City Council action. This transfer is needed for repairs and maintenance to the above mentioned facility.

Motion was made by Council Member Edens, seconded by, Council Member Schlichting, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AUTHORIZING THE CITY MANAGER TO TRANSFER FUNDS WITHIN THE GENERAL FUND OPERATING BUDGET (Resolution No. R-78-06), be approved.

Vote: 4-0

5. Resolution Awarding a Matching Grant to Gateway Commons Homeowners Association

This resolution authorized the City Manager to award a matching grant to Gateway Commons Homeowners Association, upon determining that the project is completed as proposed, in the total amount of Three Thousand Five Hundred Five Dollars (\$3,505) for landscaping; said funds to be expended from the Capital Improvements Budget.

Motion was made by Council Member Marraffa, seconded by, Council Member Edens, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AWARDING A MATCHING GRANT TO GATEWAY COMMONS HOMEOWNERS ASSOCIATION (Resolution No. R-79-06), be approved.

Vote: 4-0

6. Resolution to Provide Consulting Services to Assist in Seeking Federal Funding

This resolution authorized the City Manager to execute an agreement with Patton Boggs, LLP, 2550 M Street, NW, Washington, D.C. 20037, to provide the above services, in an amount not to exceed Ninety Thousand Dollars (\$90,000); said funds to be expended from the Operating Budget. Assistant City Manager Tomasello stated that the City has been working with Patton Boggs since 2005 to assist with securing federal funding for various City projects. The City received three awards under the federal 2006 budget, with authorized \$1,120,000 for the extension of Teacher's Way in Olde Towne, \$49,000 for law enforcement equipment and \$112,000 to purchase a new Senior Center Bus. The City is seeking to receive funding for the following federal 2007 requests: \$400,000 for the Olde Towne Youth Center; \$330,000 for additional law enforcement technology;

\$200,000 in matching funds for the construction of the Observatory interpretive park; and \$96,250 for two water quality management structures at Public Works.

Motion was made by Council Member Schlichting, seconded by, Council Member Alster, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH PATTON BOGGS, LLP TO PROVIDE CONSULTING SERVICES TO ASSIST IN SEEKING FEDERAL FUNDING FOR CITY PROJECTS (Resolution No. R-80-06), be approved.

Vote: 4-0

XII. FROM STAFF

X-182 – Crown Farm Annexation

Assistant City Manager Felton gave background on the annexation stating that there are currently 197 exhibits in the record file. He further stated that since the September 2005 kick-off charette, the City has conducted a public hearing, three work sessions and a series of presentations and in conjunction with the proposed sketch plan, staff has negotiated a draft annexation agreement. On July 17, 2006, staff gave a detailed presentation on the context of the proposed agreement with a number of changes to several paragraphs dealing with environmental and historic preservation issues. He stated that the developer has offered to contribute an additional fee of \$2,500 per unit in POD 5 for the City's affordable housing program in a manner determined by the City. He stated that the record on X-182 closed as of 5 p.m. on August 2, 2006.

The City Council asked for input from the Historic Preservation Advisory Committee to review the property for historic artifacts and to take photographs.

Council Vice President read a statement from Council Member Sesma in his absence. He stated that the statement was written before Council Member Sesma learned of the \$2,500 per unit contribution to affordable housing in POD 5. In the statement, he stated that the City is suited to oversee the development of the Crown Farm property. He stated that the development has major public benefits for both Gaithersburg residents and the region. He expressed concern with the impact of commercial and residential density, open space, overcrowding of schools and traffic. He expressed support for the development but asked staff to continue to work with Montgomery County Public Schools on the future high school, and with local, county and state governments to ensure that the Corridor Cities Transitway is funded as soon as possible.

1. Resolution to Negotiate and Execute an Annexation Agreement With Crown Village, LLC

Motion was made by Council Member Alster, seconded by, Council Member Marraffa, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ANNEXATION AGREEMENT WITH CROWN VILLAGE, LLC AS PART OF ANNEXATION X-182 (Resolution No. R-81-06), be approved.

Vote: 4-0

2. Resolution Authorizing the Annexation to the City of Gaithersburg Approximately 182.81725 Acres of Land

Motion was made by Council Member Marraffa, seconded by, Council Member Edens, that a RESOLUTION AUTHORIZING THE ANNEXATION TO THE CITY OF GAITHERSBURG OF APPROXIMATELY 182.81725 ACRES OF LAND ADJACENT TO THE PRESENT CORPORATE LIMITS, KNOWN AS THE CROWN PROPERTY, LOCATED AT THE SOUTHWEST SIDE OF FIELDS ROAD, BOUNDED BY SAM EIG HIGHWAY TO THE NORTHWEST AND OMEGA DRIVE TO THE SOUTHEAST (Resolution No. R-82-06), be approved.

Vote: 4-0

3. **An Ordinance Establishing Zoning of Approximately 182.81725 Acres of Land, Currently Known as Parcels P600, P445, P820, P905, P833 and N094, Located at the Southwest Side of Fields Road, Bounded by Sam Eig Highway to the Northwest and Omega Drive to the Southeast in the City of Gaithersburg, Maryland, to the MXD (Mixed Use Development) Zone and Adopt Sketch Plan in Accordance with §24-160D and §24-10A (Floating Zones) of the City Code**

Motion was made by Council Member Schlichting, seconded by, Council Member Edens, that the above Ordinance (Ordinance No. O-8-06), be approved.

Vote: 4-0

XIII. ADJOURNMENT

There being no further business to come before this session of the City Council, the meeting was duly adjourned at 9:46 p.m.

Respectfully submitted,

Doris R. Stokes

Doris R. Stokes
Executive Assistant